

Marc V. Kalagian  
Attorney at Law: 4460  
Law Offices of Lawrence D. Rohlfing, Inc., CPC  
12631 East Imperial Highway Suite C-115  
Santa Fe Springs, CA 90670  
Tel.: (562) 868-5886  
Fax: (562) 868-8868  
E-mail: marc.kalagian@rksslaw.com

Leonard Stone  
Attorney at Law: 5791  
Shook & Stone  
710 South 4th Street  
Las Vegas, NV 89101  
Tel.: (702) 385-2220  
Fax: (702) 384-0394  
E-mail: Lstone@shookandstone.com

Attorneys for Plaintiff  
Jacqueline K. Longwill

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JACQUELINE K. LONGWILL,	)	Case No.: 3:23-cv-00160-CLB
	)	
Plaintiff,	)	ORDER GRANTING
	)	STIPULATION FOR THE AWARD
vs.	)	AND PAYMENT OF ATTORNEY
	)	FEES AND EXPENSES
LELAND DUDEK, <sup>1</sup>	)	PURSUANT TO THE EQUAL
Acting Commissioner of Social	)	ACCESS TO JUSTICE ACT, 28
Security,	)	U.S.C. § 2412(d) AND COSTS
	)	PURSUANT TO 28 U.S.C. § 1920
Defendant.	)	

---

<sup>1</sup> Leland Dudek, the new Acting Commissioner of Social Security, should be substituted as the defendant in this suit per F.R.C.P. Rule 25(d). No further action need be taken per 42 U.S.C. § 405(g).

1 TO THE HONORABLE CARLA BALDWIN, MAGISTRATE JUDGE OF  
2 THE DISTRICT COURT:

3 IT IS HEREBY STIPULATED, by and between the parties through their  
4 undersigned counsel, subject to the approval of the Court, that Jacqueline K.  
5 Longwill (“Longwill”) be awarded attorney fees in the amount of fourteen  
6 thousand dollars (\$14,000.00) and expenses in the amount of zero dollars (\$0.00)  
7 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in  
8 the amount of zero dollars (\$0.00) under 28 U.S.C. § 1920. This amount  
9 represents compensation for all legal services rendered on behalf of Plaintiff by  
10 counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920;  
11 2412(d).

12 After the Court issues an order for EAJA fees to Longwill, the government  
13 will consider the matter of Longwill's assignment of EAJA fees to Marc Kalagian.  
14 The retainer agreement containing the assignment is attached as exhibit 1.  
15 Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the  
16 assignment will depend on whether the fees are subject to any offset allowed under  
17 the United States Department of the Treasury's Offset Program. After the order for  
18 EAJA fees is entered, the government will determine whether they are subject to  
19 any offset.

20 Fees shall be made payable to Longwill, but if the Department of the  
21 Treasury determines that Longwill does not owe a federal debt, then the  
22 government shall cause the payment of fees, expenses and costs to be made  
23 directly to Law Offices of Lawrence D. Rohlfig, Inc., CPC, pursuant to the

24 ///

25 ///

26 ///

1 assignment executed by Longwill.<sup>2</sup> Any payments made shall be delivered to Law  
 2 Offices of Lawrence D. Rohlfing, Inc., CPC. Counsel agrees that any payment of  
 3 costs may be made either by electronic fund transfer (ETF) or by check.

4 This stipulation constitutes a compromise settlement of Longwill's request  
 5 for EAJA attorney fees, and does not constitute an admission of liability on the part  
 6 of Defendant under the EAJA or otherwise. Payment of the agreed amount shall  
 7 constitute a complete release from, and bar to, any and all claims that Longwill  
 8 and/or Marc Kalagian including Law Offices of Lawrence D. Rohlfing, Inc., CPC,  
 9 may have relating to EAJA attorney fees in connection with this action.

10 This award is without prejudice to the rights of Marc Kalagian and/or the  
 11 Law Offices of Lawrence D. Rohlfing, Inc., CPC, to seek Social Security Act  
 12 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of  
 13 the EAJA.

14 DATE: February 24, 2025      Respectfully submitted,

15 LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

16 /s/ *Marc V. Kalagian* <sup>3</sup>

17 BY: \_\_\_\_\_

Marc V. Kalagian  
 Attorney for plaintiff  
 JACQUELINE K. LONGWILL

23 \_\_\_\_\_  
 24 <sup>2</sup> The parties do not stipulate whether counsel for the plaintiff has a cognizable lien  
 25 under federal law against the recovery of EAJA fees that survives the Treasury  
 26 Offset Program.

<sup>3</sup> Counsel for the plaintiff attests that all other signatories listed, and on whose  
 behalf the filing is submitted, concur in the filing's content and have authorized the  
 filing.

1 DATED: February 24, 2025

SUE FAHIMI  
Acting United States Attorney

2  
3 /s/ *Jeffrey E. Staples*

4 JEFFREY E. STAPLES  
5 Special Assistant United States Attorney  
6 Attorneys for Defendant  
7 LELAND DUDEK, Acting Commissioner of  
8 Social Security (Per e-mail authorization)

9  
10 **ORDER**

11 Approved and so ordered:

12 DATE: February 24, 2025



13 THE HONORABLE CARLA BALDWIN  
14 UNITED STATES MAGISTRATE JUDGE  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26